

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

OSCAR GATES,

No. C 88-2779 WHA

Petitioner,

ORDER

v.

KEVIN CHAPPELL, Warden,

Respondent.

Petitioner has requested a six-week extension to file merits briefing on ten claims. For the following reasons, petitioner's request for a six-week extension is DENIED.


Petitioner's brief was due on January 24, 2014; he filed his request well after the close of business on January 23, 2014 (the ECF notification is time-stamped 9:46 pm.) Petitioner is represented by two highly-qualified attorneys, and the Court initially ordered briefing on ten claims in this matter on June 24, 2013. The Court granted previous continuances on the briefing as a result of the government shutdown and in order to allow the parties to focus on settlement, but the Court confirmed at the most recent hearing of December 18, 2013 that further delays would not be tolerated.

In light of the above, and in light of the fact that the parties are addressing only ten claims in the petition, petitioner's declaration does not provide adequate justification for a six-

1 week extension of time, nor indeed for any delay in the briefing schedule ordered by the Court
2 in December. Nonetheless, the Court will allow a two-week extension from the original
3 deadline. Accordingly, petitioner's opening brief is due no later than noon on February 7, 2014.
4 Respondent's opposition is due on or before March 7, 2014; petitioner's reply is due on or
5 before March 21, 2014. The hearing is scheduled for April 9, 2014 at 1:30 pm. No further
6 extensions will be granted.

7
8
9 **IT IS SO ORDERED.**

10
11 Dated: January 28, 2014.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE